

NO HOLIDAYS FOR THE BOARD

PUBLIC SERVICE COMMISSION SITS EVERY DAY IN THE YEAR.

From 8 A. M. to 11 P. M. Somebody Will Be on Hand—Telephone Call 3025 Worth—Travis H. Whitney Secretary—Rice Force Retained—Doubt About Funds.

From now on it ought not to be difficult for a man with a complaint to make against the transportation lines or the lighting companies to find some one to complain to up to the time when most good people go to bed. Beginning with last night the office of the new Public Service Commission will be at its disposal, providing that he gets there by 11 P. M. The office for a while will be at the old offices of the Rapid Transit Commission at 320 Broadway. Secretary's telephone call 3025 Worth.

Chairman Wilcox and his associates got to work again yesterday trying to digest the law and get their bearings. One of the first things they did was to put out a sign in the offices at 320 Broadway reading: "Public Service Commission of the First District. Office hours 8 A. M. to 11 P. M."

The law provides that this office shall be open from 8 A. M. until 11 P. M. every day in the year. The commissioners looked through the law but failed to find that any day would be Sunday for them, or that the Fourth, or any other holiday, would give them a day off. It is required that any railroad company shall give immediate notice at the office of any accident happening on its line—immediate, at least, between 8 A. M. and 11 P. M.

The commission has appointed Travis H. Whitney secretary. His salary is fixed by law at \$6,000. Mr. Whitney got on the job immediately and was at the office last night until 11. He also said that he would be back at 8 o'clock this morning. Mr. Whitney was assistant secretary of the Citizens' Union and for the last four years has represented that organization during the session at Albany. He has had the confidence of Gov. Hughes and his work in ferreting out jokers in bills has attracted attention. He is 32 years old, was born in Indiana and is a graduate of the Harvard law school, class of 1893. He married Rosalie Low, the woman lawyer, an appointment is attributed to Gov. Hughes. A counsel, who will get \$10,000 a year, has yet to be appointed. Oliver C. Sample, who was an assistant under Corporation Counsel Rives, was in consultation with the commission yesterday and there was a rumor that he would be the man.

Another thing the new commission did was to retain Chief Engineer George C. Rice and his entire staff and direct them to continue their work in regard to subways and other matters formerly under the Rapid Transit board. Mr. Rice's salary is \$15,000 a year and his assistant, Alfred Caven, gets \$7,000. They have a force of 20 men.

The five commissioners have already decided to take no summer vacations. "We are going to have two or three meetings a day until we can get at hearings," Commissioner Bassett said after yesterday's meeting. "We are going to keep right on, regardless of vacations and hours, this summer at least."

When asked if the commission expected to improve transit conditions in Brooklyn and Manhattan Mr. Bassett said: "We certainly do expect to improve them. A great deal can undoubtedly be done in improving the method of carrying people over existing tracks and more people can be accommodated. Much of the congestion can be prevented with the existing facilities. Until now no one has had adequate power to do this. The State railroad board could not enforce its orders. We are not necessarily going to compel the use of the existing facilities to their fullest extent, but to the extent that public law demands. We can't do everything at once."

Mr. Bassett said that the board had not decided which problem to take up first. Already letters are pouring in from citizens, but chairman Wilcox refused to give out the text of any of them yesterday. One man wants the Lexington avenue subway plan adopted and built at once. Another asked that the bridge jam be ended by to-morrow.

While these are not in the nature of formal complaints the new law provides that any citizen may make a complaint regarding a common carrier and its service to the commission and then requires the commission to forward a copy of the complaint immediately to the railroad corporation, accompanied by an order requiring that such matters complained of be remedied or that the charge be answered by said corporation in writing within a specified time.

State Civil Service Commissioner R. C. E. Brown had a talk with the commission yesterday regarding the immense clerical force to be employed.

Comptroller Metz announced yesterday that there was a balance of \$400,000 left over from the appropriation for the old rapid transit board which might be used for the expenses of the commission, but he is going to find out about it first from Corporation Counsel Elinor. Mr. Metz had previously announced that he wouldn't pay out a cent for the commission until the constitutionality of the law was tested. Yesterday he sent a letter to Mr. Elinor containing four questions addressed to him by Commissioner Bassett, asking whether the unused money of the old board be available, whether present employees could be paid under some temporary plan, whether the offices of the old rapid transit board could be used, and if he had any suggestions which would facilitate the beginning of the commission's work. In his letter to the Corporation Counsel Mr. Metz said:

"So far as the law relates to the city of New York, I have come to the conclusion, after mature consideration, that there is a grave question as to the constitutionality of the act. I therefore request that at your earliest convenience you advise me as to its constitutionality, and if constitutional what should be the policy of the city of New York with reference thereto."

Mr. Metz concluded by saying that he did not want to pay out money and then have his authority questioned legally, and to show that he had no personal feelings in the matter he gave out a statement expressing his approval of the personnel of the commission.

For Copiness and Comfort. The amber depths of a sparkling highball are never so delightful as when it's made of Mr. Ver-vo's Pure Food. The Pure Food Law made no change in the label.—Ad.

TO EVANGELIZE FIFTH AVENUE

PRESBYTERIAN CHURCH TO INCREASE ITS ACTIVITIES.

Special Sunday Evening Services for the First Time With Famous Men as Preachers—Also an Assistant Minister to Look After Folks in the Big Hotels.

The Fifth Avenue Presbyterian Church is to break away from the extreme conservatism that has always marked its career and undertake in a popular way the evangelization of non-churchgoers who live in the district around Fifth avenue and Fifty-fifth street. As one member of the session put it yesterday, the church is going to attempt to fulfill its mission in the community.

A notice sent out to the members of the church by a committee of the session says that the session some time ago adopted at the suggestion of the pastor the Rev. Dr. J. Ross Stevenson, the following policy as being the most feasible for the future life and work of the church:

"To make our church a great evangelical, evangelistic and missionary center, in connection with which the superb building in its ideal location will be used to the greatest advantage to give the gospel to the world. On account of the investment represented in the location and in the equipment of our church nothing less than a great enterprise can justify the retention of this valuable property."

In keeping with this policy, the committee announces, the number of elders and deacons in the church was increased. The announcement continues:

"After much serious thought and earnest prayer it has been decided to go still further and carry out as far as possible the general policy so heartily and unanimously adopted. It is our purpose to introduce a special Sunday evening service, which, with inspiring music and stirring gospel preaching, will be intended to reach the great mass of non-churchgoers who live in close proximity to our church and for whose evangelization we are in such large measure responsible."

Up to this time there has been no regular evening service in the Fifth avenue church. The Sunday church worship has consisted of the old conservative morning and afternoon services, which have been attended largely by churchgoers. At the Sunday evening evangelistic service all the pews will be thrown wide open. The service will not only be preaching of an evangelistic character, but singing by a chorus of at least fifty voices. This chorus, it is understood, will be under the leadership of one of the city's best known musical directors.

"The Sunday morning service," says the announcement, "will be continued along the present lines, and we shall rely upon our own church members for its loyal support, as well as for the support of the Sunday evening service."

It is proposed to make the Sunday afternoon service attractive to the non-churchgoers in the neighborhood by getting the services of "eminent men" who will give a series of discourses. These discourses will be along the line of religious instruction. The announcement is made that the Rev. Hugh Black, late of the Free St. George's Church in Edinburgh, has been secured for three months, beginning November 1.

In addition to this the church proposes to inaugurate a special course of Bible study and religious instruction for young people, especially students coming to this city who need a church home. The ministerial force will be increased, probably doubled.

It is proposed to have one of the assistant clergymen devote practically all of his time to the guests at the hotels in the neighborhood. Among these are the St. Regis, the Gotham, the Netherlands, the Savoy and the new Plaza. It is the belief of the governing officers of the church that the influence of the church in the hotel life of the community will constantly increase, and that when the system is once established it will take one man's time to look after this phase of the evangelical plan alone.

Another thing that the governing body of the church is considering in connection with the general plan is to have the doors of the church always open for the public, with a clergyman continually on duty to receive those who enter. The question of establishing permanent church offices in the rear of the present building is also under consideration.

"The public," said one member of the session yesterday, "shouldn't get the idea that the Fifth Avenue Presbyterian Church is being converted into a mission church. What we are trying to do is to continue our old congregational life and at the same time broaden out in a way that will help us to fulfill our mission in the community."

The congregation of the Fifth Avenue Presbyterian Church is one of the wealthiest in the city. Only one church in the city exceeds it in the amount which it contributes for charitable and missionary purposes. Many of the church pews are owned by private individuals and estates.

MISHAP TO FIRE TRUCK. Driver Forced to Run It Into Elevated Pillar to Avoid Striking Trolley Car. Fire Truck 7, stationed in Twenty-eighth street near Third avenue, turned into Second avenue on its way to a fire late yesterday afternoon just as an open southbound car bowed along without stopping. The driver, John Brennan, hurried the truck against an elevated pillar beside the northbound track to escape a collision and the shock threw the trolleyman, Timothy McFetty, into the street car.

It is stated by those latest arrivals from Guatemala that a reign of terror exists in that country and that the situation in the territory adjacent to the Mexican border is particularly distressing. Many of the wealthy planters are abandoning their homes and getting out of the country, taking their families and all the ready cash that they can command with them. In some instances Paris and other places in Europe are the destination of these exiles. A number, however, have gone to New Orleans and New York to remain until there is a change in the condition of affairs in their home country.

The Guatemala Government is erecting strong defenses about all the towns situated along the Mexican border. It is stated that this is being done through fear of war with Mexico, but the object is to be able to repel any revolutionary invasion from this quarter.

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CLEVELAND TO TRY FOR TROUT.

Will Whip the Streams in Central New York for the First Time.

UTICA, N. Y., July 2.—Ex-President Cleveland is expected to be at Redfield the latter part of this week, and for the following ten days or two weeks will whip the streams in that locality for brook trout. Mr. Cleveland will be the guest of John B. Davidson, a lawyer, who makes his home at Redfield, but whose office is in New York.

Mr. Davidson is an enthusiastic fisherman and owns the land on both sides of the east branch of the Salmon River for some miles. This land he has converted into a park, which he keeps carefully policed, and no one is allowed to fish upon the preserve unless he has a special permit. Mr. Cleveland had an arrangement completed for a visit to Redfield a few weeks ago, when he was taken ill. This necessitated a postponement until this week.

Mr. Davidson, in anticipation of the coming of his guest, has kept his preserve carefully guarded so far this season. Not a single fish has been taken from the Salmon River this spring, and to those who hold permits Mr. Davidson has sent word that the preserve will not be open until after July 20. This will be the first time that Mr. Cleveland has fished in Central New York.

G. E. ROBERTS, BANK PRESIDENT.

Director of Mint to Succeed Eckels as Head of Commercial National Bank.

WASHINGTON, July 2.—George E. Roberts, Director of the Mint, will resign soon to become president of the Commercial National Bank of Chicago, succeeding the late James H. Eckels.

Mr. Roberts left at midnight for New York, where he will meet the bank's representatives to-morrow. He has had the offer under consideration for some time, and the final decision has been waiting upon the consolidation of the Commercial National with the Continental National Bank.

Mr. Roberts was appointed Director of the Mint at the beginning of President McKinley's Administration and has since an excellent record. He attracted the attention of President McKinley by his writings in favor of the gold standard. As an authority on finance and a writer on financial subjects he ranks high.

CHICAGO, July 2.—At an informal meeting of the Commercial National Bank to-day the question of a successor to the late President James H. Eckels was discussed, but no decision was reached. It is expected that George E. Roberts, Director of the Mint, will be selected. His name has been under consideration with four others, but Chairman MacVane of the bank said today that the position has not been tendered him.

O. & W. TRAIN WRECKED.

Had Unloaded Most of Its Summer Boarders in Sullivan County Before Being Ditched.

MIDDLEBURY, N. Y., July 2.—Passenger train No. 3, on the New York, Ontario and Western Railroad, was wrecked this afternoon near Roscoe, Sullivan county.

The train left Weehawken at 12:30 P. M. heavily loaded with summer boarders and arrived in this city at 3:30 this afternoon, fifty minutes late. When it left this city the train was composed of an engine and combination baggage and mail car and nine day coaches carrying about five hundred passengers. The majority of these, however, left the train at stations in Sullivan county before the accident occurred.

When the train left Livingston Manor an hour late it was composed of the locomotive and five cars. The accident occurred at a switch just south of Roscoe. At the division headquarters in this city it was said that the locomotive and two cars left the track and that no one was injured. A wrecking train and a special train of coaches have been sent to the scene.

P. R. R. EXPRESS WRECKED.

Fast Buffalo Train Hits a Freight in the Yards at Sunbury—Three Dead.

SUNBURY, Pa., July 2.—The Buffalo express on the Pennsylvania Railroad, northbound, was wrecked near here early this afternoon.

Luke Eyeru of Bloomsburg, express messenger; J. F. McElvany of Williamsport, fireman, and Frank T. Hunter of Philadelphia, baggage master of the express, were killed.

None of the injured is expected to die. The express was behind time and had got a clear board at the signal tower below the entrance to the yards, a mile from here. A freight train had got permission to cross over from one track to another and was supposed to have finished the movement, but it had not quite cleared the main track when the passenger train struck it. The cars were piled high and the crash was heard far away.

A relief train was ordered out by local officials and was hurried to the wreck.

JURY HAS HOLMES CASE.

If There is a Conviction Renewed Efforts Will Be Made to Try Haas and Peckham.

WASHINGTON, July 2.—The case of Edwin S. Holmes, Jr., who was indicted jointly with Moses Haas and Frederick A. Peckham of New York for conspiracy to defraud the Government in the use of Government cotton statistics, was given to the jury at 3 o'clock this afternoon, and at 10 o'clock it was locked up for the night without having reached an agreement.

The trial had lasted nearly four weeks. If a conviction is secured, renewed efforts will probably be made to bring Haas and Peckham from New York for trial. So far they have successfully resisted extradition.

At the beginning of to-day's session Attorney Worthington for the defense and Special Attorney Beach for the Government made their closing arguments on their part to the jury, and the charge was then delivered by Justice Stafford.

DROWNED WHILE CANOEING.

Two Young Professors of Mount Harmon School Lost in Connecticut River.

EAST NORTHFIELD, Mass., July 2.—Philip K. Green and David A. Durward, two young professors at the Mount Harmon school for boys, lost their lives while canoeing on the Connecticut River this afternoon.

The bodies have not been recovered. Prof. Green was 24 years old, and his brother was 21. Both were graduates of Bowdoin College in 1904. He planned to go to-morrow to Cambridge, where he was to prepare to enter Harvard for a post-graduate course. Prof. Durward came from Claremont, N. H. He was 25 years old, and was graduated from the agricultural school connected with Cornell University in 1906.

After all, USHER'S Scotch whisky made the highest famous—Ad.

TELEGRAPH STRIKE LIKELY

ONE AGREED ON FOR JULY 8, CHICAGO REPORTS.

Men Here Are Warlike and Conservatives Are Having Trouble Keeping the Men in Line—Service to the Pacific Coast Reported to Be Without Delay.

CHICAGO, July 2.—A strike against the Western Union and the Postal Telegraph companies, it is said here, has been agreed on for Monday, July 8.

The only alternative to this programme is that the companies shall rescind their order not to treat with committees of their employees or receive union members bearing grievances in behalf of a discharged member.

The executive committee will recommend that the local ratify their decision to strike against the companies at once, and not wait for the national officers to call the strike as a part of the general struggle against the companies for recognition.

Wesley Russell, general secretary-treasurer of the national union, admitted that President Small issued a strike order spreading the strike to three more important points than the Oakland and San Francisco offices.

He refused, however, to name the cities marked for the strike, but said that the strike would be kept in the territory west of Chicago. Omaha, Kansas City and St. Louis, with strike headquarters located in Chicago, are thought to be the cities included in President Small's strike order.

The next day or two will determine whether the differences between the Commercial Telegraphers' Union and the Western Union can be patched up through the efforts of disinterested outsiders aided by conservative members of the union. The strike feeling among the members of the union has been growing rather than diminishing. The Commercial Telegraphers' Union is comparatively young and a great many of its members seem to want a test of its strength.

The conservative element, however, is of the belief that the trouble in San Francisco can be settled without extending the strike and will make every effort to prevent one. United States Labor Commissioner Neill was in this city for a few hours on Monday, and after a conference with President Clowry of the Western Union company returned to Washington. Col. Clowry said that he would live up to his letter to the telegraphers looked on as a settlement of the trouble. He took the ground, however, that the ordering of the strike in San Francisco was a violation of the spirit of the letter. One of the members of the executive committee said yesterday evening:

"A plan is under way, we have been told, to understand, to settle the strike in San Francisco. If it succeeds the nine telegraphers who were discharged in New York and whose reinstatement is asked will, I believe, be reinstated. We have not had any direct conference with Col. Clowry, but peace generally with the company depends on the outcome of the San Francisco strike. If it is not settled there may be a fight which will extend all over the country, and which I for one would like to prevent."

The following telegram was sent yesterday by President Clowry of the Western Union company to B. Brooks, general superintendent in New York; T. P. Cook, general superintendent in Chicago; J. Levin, general superintendent in Atlanta, and Frank Jaynes, general superintendent in San Francisco:

The notice to accept business for San Francisco and Oakland subject to delay is withdrawn. General Superintendent Jaynes reports that the business for San Francisco and Oakland is moving without delay, that ten out of thirteen branch offices in San Francisco have been reopened, and that nine of the strikers have been reinstated upon their own application.

NEW FERRYBOATS IN COLLISION.

Scare on the Crowded Scranton When She Hit the Scandinavia.

Two of the Lackawanna's new steel ferryboats, the Scandinavia and the Scranton, collided about 6:30 o'clock last night just outside the Barclay street slip.

The Scandinavia, in command of Pilot Maher, left the Hoboken side at 6:22 with only a few passengers. There was a strong ebb tide, and as she neared the Manhattan side a tow, northbound, ran across her bow.

The Scranton, loaded with commuters, was just leaving her slip at the foot of Barclay street and was obliged to veer to the south to escape the tow. When she came out from behind the tow she was only a few feet from the Scandinavia, which was being carried downstream broadside on Pilot Maher's bow.

The Scranton hit her sister boat just about full steam back, but it was too late. The Scandinavia careened a little. The crew hastened to assure the few passengers on board that there was no danger, and there was no trouble with them.

But the crowd on the Scranton started a rush for the stern and for a few seconds things looked panicky. The cooler heads among the passengers turned in and helped the crew restore order. Part of the Scranton's guardrail was torn off and one of her gateposts was snapped in two. She went on to the Hoboken slip.

The Scandinavia steamed into the Barclay street slip and there was a small hole in the side above the waterline. She went back to Hoboken and was tied up for repairs. The Scranton continued to run until 8 o'clock, when she also was laid off.

30 CAUGHT IN FALLING HOUSE.

Six Story Building Tumbles Into Excavation—Only One Man Injured.

CINCINNATI, July 2.—Early this afternoon the brick building occupied by Levi & White, furniture manufacturers, suddenly collapsed.

The half dozen stories tumbled into a deep excavation adjoining that is being made for a new building for the Second National Bank.

U. S. SUES ALL EXPRESS COS.

Demands Abolition of Franking Privileges Under Hepburn Act.

CHICAGO, July 2.—Action against all the leading express companies of the United States was brought in the United States Circuit Court to-day by District Attorney Sims, acting under orders of Attorney-General Bonaparte.

Injunctions are asked to restrain the companies from granting franking to their employees and others in violation of the Hepburn act, which makes the express companies common carriers.

This is the first case against an express company brought under the new law.

All the companies involved filed answers with the clerk to-day and admitted the truth of the discrimination charges, with the exception of the United States company, which contends that it is not a common carrier.

The defendant companies are the United States, National, American, Wells-Fargo and Adams companies.

SPECIAL SESSION CALLED.

Governor Summons Legislature for July 8—Purpose Not Specified.

ALBANY, July 2.—Gov. Hughes issued this afternoon a call for a special session of the Legislature to convene in Albany on Monday, July 8, at 8:30 o'clock.

In his call the Governor does not designate the subjects the Legislature shall consider, preferring to wait until it convenes, when by special message he will ask that the reappointment of Senatorial districts be taken up, and perhaps a new direct primary nomination bill.

He will also send to the Senate the names of the Public Service Commissioners for confirmation.

The call for the special session was merely a formal notice.

NOT DELMAS, ANYHOW.

Whoever Handles Thaw's Case Next Time—Attempt to Hurry Trial Dropped.

Harry K. Thaw's lawyers have given up the idea of trying to force District Attorney Jerome to put Thaw on trial in October. Lawyers Dan O'Reilly and A. Russell Peabody called on Acting District Attorney Smyth yesterday and announced that the application made to Justice McCall last week, which was to have been argued this morning, would be withdrawn. The idea was to get a court order directing that Thaw be tried in October. The lawyers said that they had made up their minds that Mr. Jerome would deal fairly with Thaw. Mr. Jerome has announced that Thaw would not be tried before October.

Thaw's lawyers said yesterday that as yet no chief counsel had been selected for him.

"One thing is certain," said Lawyer O'Reilly, "the lawyer who will have charge of the case will not be from California."

THE PRESIDENT'S TRIP WEST.

His Itinerary for the Voyage Down the Mississippi Is Announced.

OSTER BAY, July 2.—Details of the President's Western trip after leaving Oyster Bay next September were given out to-day. President Roosevelt terminates his vacation on September 29; then he will start for Canton, Ohio, where he will make an address at the unveiling of the McKinley national monument on September 30.

Leaving Canton after the ceremony, the President will go to Keokuk, Ia., reaching there at 9 A. M. October 1, and after a stay of two hours will start down the river on the steamboat Mississippi, arriving at St. Louis, Mo., at 10 A. M. October 2. He will leave for Cairo, Ill., at 3 P. M., reaching the latter city at 9 o'clock the next morning. Two hours later he will leave Cairo for Memphis, where he will remain for three hours on October 6, leaving in the afternoon for Washington. He will make no stops on the way.

The President will make brief addresses at Cairo and Memphis.

JEROME CAMPAIGN FUND.

\$4,800 Residue Sent to Reformatories—Total Amount Not Stated.

District Attorney Jerome has sent the following letter to the heads of the institutions named in it:

During my last campaign for the office of District Attorney there was sent to me personally a large amount of money for the purposes of that campaign. Of this fund there remains a residue of \$4,851.66. I have been endeavoring for a long time to determine upon its use for reformatory work, which might be needed as carrying out the general purposes of those who subscribed to the fund, and have finally concluded that no better use could be found for it, nor any use more nearly in accord with the purpose which must be conceived to have animated those who subscribed, than that of aiding a wise administration of the criminal law in its application